

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Judy Diane Rabon  
723 Broken Bit Road  
Rembert, SC 29128

Registered Nurse License No. 577417  
Nurse Practitioner Certificate No. 13891

Respondent

Case No. 2007-138

OAH No. 2007090052

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on November 1, 2008.

IT IS SO ORDERED October 2, 2008.



President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 ARTHUR D. TAGGART, State Bar No. 083047  
Supervising Deputy Attorney General  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 324-5339  
6 Facsimile: (916) 327-8643

7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2007-138

12 **JUDY DIANE RABON**  
723 Broken Bit Road  
13 Rembert, South Carolina 29128

OAH No. 2007090052

14 Registered Nurse License No. 577417  
Nurse Practitioner Certificate No. 13891,

**STIPULATED SETTLEMENT**  
**AND DISCIPLINARY ORDER**

15 Respondent.  
16

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the  
18 above-entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of  
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
23 by Arthur D. Taggart, Supervising Deputy Attorney General.

24 2. Respondent JUDY DIANE RABON is represented in this proceeding by  
25 Edgardo Gonzalez, Esq., of Oakland, California.

26 3. On or about February 20, 2001, the Board of Registered Nursing issued  
27 Registered Nurse License No. 577417 to Respondent JUDY DIANE RABON. On December 9,  
28 2002, the Board issued Nurse Practitioner Certificate No. 13891 to Respondent JUDY DIANE

1 RABON. The Registered Nurse License was in full force and effect at all times relevant to the  
2 charges brought in Accusation No. 2007-138. Both the Registered Nurse License and the Nurse  
3 Practitioner Certificate will expire on December 31, 2008, unless renewed.

#### 4 JURISDICTION

5 4. Accusation No. 2007-138 was filed before the Board of Registered  
6 Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent.  
7 The Accusation and all other statutorily required documents were properly served on Respondent  
8 on November 28, 2006. Respondent timely filed her Notice of Defense contesting the  
9 Accusation. A copy of Accusation No. 2007-138 is attached as exhibit A and incorporated  
10 herein by reference.

#### 11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the charges and allegations  
13 in Accusation No. 2007-138. Respondent has also carefully read, and understands the effects of  
14 this Stipulated Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the  
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
17 counsel at her own expense; the right to confront and cross-examine the witnesses against her;  
18 the right to present evidence and to testify on her own behalf; the right to the issuance of  
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
20 reconsideration and court review of an adverse decision; and all other rights accorded by the  
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
23 each and every right set forth above.

#### 24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in  
26 Accusation No. 2007-138.

27 9. Respondent agrees that her Registered Nurse License and Nurse  
28 Practitioner Certificate is subject to discipline, and she agrees to be bound by the Board of

1 Registered Nursing (Board) 's imposition of discipline as set forth in the Disciplinary Order  
2 below.

3 **CONTINGENCY**

4 10. This stipulation shall be subject to approval by the Board of Registered  
5 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the  
6 Board of Registered Nursing may communicate directly with the Board regarding this stipulation  
7 and settlement, without notice to or participation by Respondent. By signing the stipulation,  
8 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
9 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
10 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall  
11 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
12 between the parties, and the Board shall not be disqualified from further action by having  
13 considered this matter.

14 11. The parties understand and agree that facsimile copies of this Stipulated  
15 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same  
16 force and effect as the originals.

17 12. In consideration of the foregoing admissions and stipulations, the parties  
18 agree that the Board may, without further notice or formal proceeding, issue and enter the  
19 following Disciplinary Order:

20 **DISCIPLINARY ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 577417 and Nurse  
22 Practitioner Certificate No. 13891 issued to Respondent JUDY DIANE RABON are revoked.  
23 However, the revocation is stayed, and Respondent's license and certificate are placed on  
24 probation for three (3) years on the following terms and conditions:

25 **Severability Clause.** Each condition of probation contained herein is a separate  
26 and distinct condition. If any condition of this Order, or any application thereof, is declared  
27 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other

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1 applications thereof, shall not be affected. Each condition of this Order shall separately be valid  
2 and enforceable to the fullest extent permitted by law.

3           1.       **Obey All Laws.** Respondent shall obey all federal, state and local laws.  
4 A full and detailed account of any and all violations of law shall be reported by Respondent to  
5 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
6 compliance with this condition, Respondent shall submit completed fingerprint forms and  
7 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
8 as part of the licensure application process.

9           **Criminal Court Orders:** If Respondent is under criminal court orders, including  
10 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
11 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

12           2.       **Comply with the Board's Probation Program.** Respondent shall fully  
13 comply with the conditions of the Probation Program established by the Board and cooperate  
14 with representatives of the Board in its monitoring and investigation of the Respondent's  
15 compliance with the Board's Probation Program. Respondent shall inform the Board in writing  
16 within no more than 15 days of any address change and shall at all times maintain an active,  
17 current license status with the Board, including during any period of suspension.

18           Upon successful completion of probation, Respondent's license shall be fully  
19 restored.

20           3.       **Report in Person.** Respondent, during the period of probation, shall  
21 appear in person at interviews/meetings as directed by the Board or its designated  
22 representatives.

23           4.       **Comply With the South Carolina Board of Nursing Order and**  
24 **Respondent's Stipulation and Petition.** Respondent shall fully comply with the terms and  
25 conditions of the Order To Stay Suspension of Nursing License issued by the South Carolina  
26 State Board of Nursing on March 1, 2008. Further, Respondent must cooperate with  
27 representatives of the California Board of Registered Nursing in its monitoring and investigation  
28 of the Respondent's compliance with the South Carolina State Board of Nursing's Order. If

Respondent violates any term or condition of the South Carolina State Board of Nursing, the California Board, after giving Respondent notice and an opportunity to be heard, may set aside its stayed order of revocation and revoke Respondent's California license and certification.

**5 Residency, Practice, or Licensure Outside of State.** Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when she resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing license during the term of probation.

**6 Submit Written Reports.** Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to Respondent's compliance with all the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

Respondent shall provide a copy of this Decision to the nursing regulatory agency in every state and territory in which he has a registered nurse license.

**7 Function as a Registered Nurse.** Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

1           The Board may require that advanced practice nurses engage in advanced practice  
2 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
3 Board.

4           If Respondent has not complied with this condition during the probationary term,  
5 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
6 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
7 grant an extension of Respondent's probation period up to one year without further hearing in  
8 order to comply with this condition. During the one year extension, all original conditions of  
9 probation shall apply.

10           8.     **Employment Approval and Reporting Requirements.** Respondent  
11 shall obtain prior approval from the Board before commencing or continuing any employment,  
12 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
13 performance evaluations and other employment related reports as a registered nurse upon request  
14 of the Board.

15           Respondent shall provide a copy of this Decision to her employer and immediate  
16 supervisors prior to commencement of any nursing or other health care related employment.

17           In addition to the above, Respondent shall notify the Board in writing within  
18 seventy-two (72) hours after she obtains any nursing or other health care related employment.  
19 Respondent shall notify the Board in writing within seventy-two (72) hours after she is  
20 terminated or separated, regardless of cause, from any nursing, or other health care related  
21 employment with a full explanation of the circumstances surrounding the termination or  
22 separation.

23           9.     **Supervision.** Respondent shall obtain prior approval from the Board  
24 regarding Respondent's level of supervision and/or collaboration before commencing or  
25 continuing any employment as a registered nurse, or education and training that includes patient  
26 care.

27           Respondent shall practice only under the direct supervision of a registered nurse  
28 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative

1 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
2 are approved.

3 Respondent's level of supervision and/or collaboration may include, but is not  
4 limited to the following:

5 (a) Maximum - The individual providing supervision and/or collaboration is  
6 present in the patient care area or in any other work setting at all times.

7 (b) Moderate - The individual providing supervision and/or collaboration is in  
8 the patient care unit or in any other work setting at least half the hours Respondent works.

9 (c) Minimum - The individual providing supervision and/or collaboration has  
10 person-to-person communication with Respondent at least twice during each shift worked.

11 (d) Home Health Care - If Respondent is approved to work in the home health  
12 care setting, the individual providing supervision and/or collaboration shall have person-to-  
13 person communication with Respondent as required by the Board each work day. Respondent  
14 shall maintain telephone or other telecommunication contact with the individual providing  
15 supervision and/or collaboration as required by the Board during each work day. The individual  
16 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-  
17 site visits to patients' homes visited by Respondent with or without Respondent present.

18 10. **Employment Limitations.** Respondent shall not work for a nurse's  
19 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a  
20 traveling nurse, or for an in-house nursing pool.

21 Respondent shall not work for a licensed home health agency as a visiting nurse  
22 unless the registered nursing supervision and other protections for home visits have  
23 been approved by the Board. Respondent shall not work in any other registered nursing  
24 occupation where home visits are required.

25 Respondent shall not work in any health care setting as a supervisor of registered  
26 nurses. The Board may additionally restrict Respondent from supervising licensed vocational  
27 nurses and/or unlicensed assistive personnel on a case-by-case basis.

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Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in a float capacity.

If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

11. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of her probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to Respondent after photocopying them for its records.

12. **Cost Recovery.** Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of Six Hundred Forty-Four Dollars and Twenty-Five Cents (\$644.25). Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

13. **Violation of Probation.** If Respondent violates the conditions of her probation, the Board after giving Respondent notice and an opportunity to be heard, may set

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1 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's  
2 license.

3 If, during the period of probation, an accusation or petition to revoke probation  
4 has been filed against Respondent's license or the Attorney General's Office has been requested  
5 to prepare an accusation or petition to revoke probation against Respondent's license, the  
6 probationary period shall automatically be extended and shall not expire until the accusation or  
7 petition has been acted upon by the Board.

8 14. **License Surrender** - During respondent's term of probation, she ceases  
9 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
10 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
11 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
12 take any other action deemed appropriate and reasonable under the circumstances, without  
13 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent  
14 will no longer be subject to the conditions of probation.

15 Surrender of Respondent's license shall be considered a disciplinary action and  
16 shall become a part of Respondent's history with the Board. A registered nurse whose license  
17 has been surrendered may petition the Board for reinstatement no sooner than the following  
18 minimum periods from the effective date of the disciplinary decision:

19 (1) Two years for reinstatement of a license that was surrendered for any  
20 reason other than a mental or physical illness; or

21 (2) One year for a license surrendered for a mental or physical illness.

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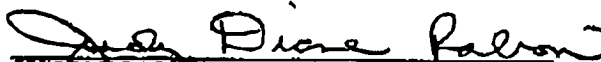
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**ACCEPTANCE**

I have reviewed and discussed the terms and conditions of this Stipulated Settlement and Disciplinary Order with my legal counsel. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 5/28/08

  
JUDY DIANE RABON  
Respondent

DATED: 5/28/08

  
EDGARDO GONZALEZ  
Attorney for Respondent

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**ENDORSEMENT**

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: June 5, 2008

EDMUND G. BROWN JR., Attorney General  
of the State of California

ALFREDO TERRAZAS  
Senior Assistant Attorney General

  
ARTHUR D. TAGGART  
Supervising Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: SA2006101297  
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**Exhibit A**  
**Accusation No. 2007-138**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 ARTHUR D. TAGGART, State Bar No. 083047  
Lead Supervising Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 324-5339  
Facsimile: (916) 327-8643

6 Attorneys for Complainant  
7

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2007-138

12 **JUDY DIANE RABON aka**  
13 **JUDY D. RABON**  
14 723 Broken Bit Road  
Rembert, South Carolina 29128

**A C C U S A T I O N**

15 Registered Nurse License No. 577417  
Nurse Practitioner Certificate No. 13891

16 Respondent.

17 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the  
20 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
21 Affairs.

22 **License History**

23 2. On or about February 20, 2001, the Board issued Registered Nurse License  
24 Number 577417 ("license") to Judy Diane Rabon, also known as Judy D. Rabon ("Respondent").  
25 The license will expire on December 31, 2006, unless renewed.

26 3. On or about December 9, 2002, the Board issued Nurse Practitioner  
27 Certification Number 13891 ("certification") to Judy Diane Rabon, also known as Judy D. Rabon  
28 ("Respondent"). The certification will expire on December 31, 2006, unless renewed.

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1 **CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 9. Respondent is subject to disciplinary action under Code section 2761,  
4 subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent's nursing  
5 license was disciplined in other states, as follows:

6 **Maine Disciplinary Action**

7 a. Effective September 20, 2004, pursuant to the Consent Agreement for  
8 Voluntary Surrender of License, filed by the Maine State Board of Nursing, attached hereto as  
9 **Exhibit A** and incorporated herein, Respondent voluntarily surrendered her Maine Registered  
10 Nurse License No. #R048327 to the Board. The circumstances of the surrender are a result of  
11 disciplinary action taken by the South Carolina State Board of Nursing, as set forth in  
12 subparagraph (b), below.

13 **South Carolina Disciplinary Action**

14 b. Effective June 10, 2003, pursuant to a Final Order, filed by the South  
15 Carolina State Board of Nursing, attached hereto as **Exhibit B** and incorporated herein,  
16 Respondent's South Carolina Registered Nurse License No. 53937 was suspended for a period of  
17 one year with certain terms and conditions, as more particularly set forth in Exhibit B.

18 **South Carolina Disciplinary Action**

19 c. Effective July 29, 1994, pursuant to an Order, filed by the South Carolina  
20 State Board of Nursing, attached hereto as **Exhibit C** and incorporated herein, Respondent's  
21 South Carolina Registered Nurse License No. 53937 was reprimanded, as more particularly set  
22 forth in Exhibit C.

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1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
3 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 577417 issued  
5 to Judy Diane Rabon, also known as Judy D. Rabon;

6 2. Revoking or suspending Nurse Practitioner Certification Number 13891  
7 issued to Judy Diane Rabon, also known as Judy D. Rabon;

8 3. Ordering Judy Diane Rabon, also known as Judy D. Rabon, to pay the  
9 Board the reasonable costs of the investigation and enforcement of this case pursuant to Code  
10 section 125.3; and,

11 4. Taking such other and further action as deemed necessary and proper.  
12

13 DATED: 11/20/06  
14

15 Ruth Ann Terry  
16 RUTH ANN TERRY, M.P.H., R.N.  
17 Executive Officer  
18 Board of Registered Nursing  
19 Department of Consumer Affairs  
20 State of California  
21 Complainant  
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## EXHIBIT A

Consent Agreement for Voluntary Surrender of License  
Maine State Board of Nursing



JOHN ELIAS BALDACCI  
GOVERNOR

STATE OF MAINE  
BOARD OF NURSING  
158 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0158

MYRA A. BROADWAY, J.D., M.S., R.N.  
EXECUTIVE DIRECTOR

STATE OF MAINE        )  
                              )  
COUNTY OF KENNEBEC    )

I, Myra Broadway, Executive Director for the Maine State Board of Nursing, do hereby certify that I am Custodian of Records of the Board of Nursing and that the enclosed document, in the matter of **Judy D. Rabon** is a true and correct copy of said document as it appears among the files and records of this office.

WITNESS my hand and seal of the Board of Nursing this 10th day of January, 2006.

MAINE STATE BOARD OF NURSING

By: *Myra Broadway*  
Myra A. Broadway, J.D., M.S., R.N.  
Executive Director  
Custodian of Records



PRINTED ON RECYCLED PAPER



STATE OF MAINE  
BOARD OF NURSING  
158 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0158

JOHN ELIAS BALDACCI  
GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.  
EXECUTIVE DIRECTOR

IN RE: JUDY D. RABON	)	CONSENT AGREEMENT
of Bangor, Maine	)	FOR VOLUNTARY
License #R048327	)	SURRENDER OF LICENSE

### INTRODUCTION

This document is a Consent Agreement regarding Judy D. Rabon's license to practice registered professional nursing in the State of Maine and her approval to practice as an advanced nurse practitioner in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A)(C) and 10 M.R.S.A. § 8003(5)(B), (5)(D). The parties to this Consent Agreement are Judy D. Rabon, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on July 28, 2004. The parties reached this Agreement based on information from the South Carolina State Department of Labor, Licensing and Regulation, South Carolina Board of Nursing by correspondence dated June 30, 2003, with an attached certified copy of a disciplinary decision from the South Carolina Nursing Board dated June 10, 2004. Exhibit A.

### FACTS

1. Judy D. Rabon filed an application for endorsement ("Application") as a registered professional nurse with the Maine State Board of Nursing, which is dated and was sworn to on October 26, 2002. Exhibit B. Ms. Rabon also sought approval as an advanced nurse practitioner from the Board on February 18, 2003.
2. In Section V. C. of the Application regarding disciplinary information a response of Yes or No is required from the following question: "Is there any complaint pending against your license in any state or jurisdiction?" Ms. Rabon answered in the negative.
3. The Final Order from the South Carolina State Board of Nursing disciplined Ms. Rabon on incidents that occurred between April 14, 2000 and December of 2001.
4. Judy D. Rabon claims that although she knew the incidences were being investigated, she did not know that a complaint had been filed until after she filed the Application with the Board.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME.

TDD: (207) 287-1151

PHONE: (207) 287-1133

FAX: (207) 287-1149

<http://www.maine.gov/boardofnursing/>

**Consent Agreement for Voluntary Surrender of License**

**Judy D. Rabon**

**Page 2**

5. Judy D. Rabon license as a registered professional nurse and her approval to practice as an advanced nurse practitioner are currently suspended in the State of South Carolina. The fine of \$1,500.00 imposed by the Final Decision remains unpaid.
6. Judy D. Rabon offers to voluntarily surrender her registered professional nurse license in Maine until she is reinstated as registered professional nurse in South Carolina and she has resolved any pending matters before the South Carolina Board of Nursing.

**AGREEMENT**


7. The Maine State Board of Nursing will accept Judy D. Rabon's voluntary surrender of her license. Should Ms. Rabon be reinstated as a registered professional nurse in the State of Maine, the Board will give regard to the sanctions imposed by the South Carolina State Board of Nursing.
8. Judy D. Rabon understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
9. Judy D. Rabon understands and agrees that her license will not be reinstated until and unless the Board, upon Ms. Rabon's written request, votes to reinstate Ms. Rabon's license.
10. Judy D. Rabon shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N. while her nursing license is surrendered.
11. Modification of this Consent Agreement must be in writing and signed by all parties.
12. Judy D. Rabon affirms that she executes this Consent Agreement of her own free will.
13. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

**Consent Agreement for Voluntary Surrender of License**  
**Judy D. Rabon**  
**Page 3**

14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

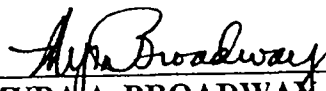
**I, JUDY D. RABON HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.**

DATED: 8/28/04

  
JUDY D. RABON

**FOR THE MAINE STATE  
BOARD OF NURSING**

DATED: 9/7/04

  
MYRA A. BROADWAY, J.D., M.S., R.N.  
Executive Director

**FOR THE OFFICE OF THE  
ATTORNEY GENERAL**

DATED: 9/10/04

  
JOHN H. RICHARDS  
Assistant Attorney General

## **EXHIBIT B**

**Final Order - South Carolina State Board of Nursing**



## South Carolina Department of Labor, Licensing and Regulation

Mark Sanford  
Governor

Adrienne Riggins Youmans  
Director



## South Carolina Board of Nursing

110 Centerview Drive  
Post Office Box 12367  
Columbia, SC 29211-2367  
Phone: (803) 896-4550  
FAX: (803) 896-4525  
[www.llr.state.sc.us](http://www.llr.state.sc.us)

January 20, 2006

Kristie Powell  
Sacramento Board of Registered Nursing  
PO Box 944210  
Sacramento, CA 94244-2100

Dear Ms. Powell:

In response to your letter concerning the licensure status of the licensee(s) listed below, the following public information is provided under the Freedom of Information Act:

Judy Rabon, RN

Certified copies of Notice of Filing Final Order dated June 17, 2003, Final Order dated June 10, 2003, Notice of Filing Final Order Certificate of Service dated August 18, 1994, Order dated July 29, 1994 and Stipulation and Petition dated July 17, 1994. The license number 53937 was suspended on June 10, 2003.

Very truly yours,

Thalia Miller  
Administrative Assistant  
South Carolina Board of Nursing

RM/tm

Enclosures



In the Matter of:

JUDY D RABON

RN, 53937

Respondent.

)  
) BEFORE THE STATE BOARD OF NURSING  
) FOR SOUTH CAROLINA  
)

) NOTICE OF FILING FINAL ORDER  
)  
)  
)

TO: THE RESPONDENT ABOVE-NAMED

YOU WILL PLEASE TAKE NOTICE that the Order rendered in the decision of June 10, 2003, in the above entitled action, of which a copy is attached hereto, was filed in the office of the Administrator of the Board on June 17, 2003.

Donald W. Hayden pwo  
DONALD W. HAYDEN, MANAGER  
REGULATORY COMPLIANCE

Columbia, South Carolina  
June 17, 2003

CERTIFICATE

THIS IS TO CERTIFY that the above Notice of Filing and copy of Order were served upon the respondent and/or her attorney by certified mail on June 25, 2003.

Donald W. Hayden pwo  
DONALD W. HAYDEN, MANAGER  
REGULATORY COMPLIANCE

Columbia, South Carolina  
June 17, 2003

**CERTIFIED  
CONFIDENTIAL**

**A TRUE COPY**

Phyllis Glenn  
SC DEPT. OF LLR BOARD OF NURSING

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION  
BEFORE THE STATE BOARD OF NURSING**

In the Matter of:

**JUDY D. RABON**  
RN, 53937

\_\_\_\_\_  
Respondent.

**FINAL ORDER**

This matter came before the South Carolina Nursing Board for hearing on May 29, 2003, as a result of the Notice of Final Hearing which was served upon the Respondent and filed with the Board on April 21, 2003. A quorum of Board members was present. The hearing was held pursuant to S.C. Code Section 40-33-930, 931 and 935 of the Code of Laws of South Carolina, as amended, and Regulation No. 91-19 of the Rules and Regulations of the Board, to determine whether sanctions should be imposed based upon the Certified Report of the Hearing Panel or Examiner, which heard the charges on February 27, 2003, and filed a certified report of the proceedings together with a transcript of the testimony taken and exhibits entered into evidence. The State was represented by Karla T. McLawhorn, Staff Counsel. Respondent appeared with counsel, George W. Speedy, Esquire, however Respondent was not present and was not represented by counsel at the final hearing.

The Respondent was charged with violation of S.C. Code Ann. §40-33-935(g) (Supp.2001) and S.C. Code of Regulation 91-19(c)(2) and (c)(3)(b), (c), (f) and (m) (Supp.2001) of the Rules and Regulations of the Board.

**FINDINGS OF FACT**

Based upon the preponderance of the reliable, probative, and substantial evidence on the whole record, the Board finds the facts of the case to be as follows:

1. The Respondent is a licensed registered nurse duly licensed to practice in South Carolina, and was so licensed at all times relevant to the issues raised in the complaint in this matter. Said license is current.
2. The Respondent was employed as a nurse practitioner by Dr. Alice Brooks (hereinafter Dr. Brooks) from January 17, 2000 to September 19, 2000. Respondent's duties while employed as a nurse practitioner with Dr. Brooks, included providing medical care for inmates at Lee Correctional Institute and working at a Free Clinic.
3. On or about April 14, 2000, while providing medical care at the Lee Correctional Institute, Respondent furnished and signed prescriptions for inmates. According to the testimony of Dr. Brooks and the prescriptions, which were introduced into evidence, the Respondent signed

Dr. Brooks signature and her initials to the prescriptions. Respondent did not have permission or an order of Dr. Brooks to sign these prescriptions. Respondent admitted in her testimony that she did not have prescriptive authority to write prescriptions.

4. On or about September 5, 2000, Respondent wrote a prescription for a back brace to an individual who was not a patient of Dr. Brooks. The State presented into evidence the prescription written and signed by the Respondent. According to the testimony, and the evidence presented, the Respondent wrote the prescription without seeing the individual and the individual was not at the time a current patient of Dr. Brooks. Respondent testified that the individual was a former patient of Dr. Brooks from a different office. Respondent considered the individual to still be a patient and therefore believed she was doing what Dr. Brooks would approve. However, Respondent did not have prescriptive authority, nor an order of a physician to write this prescription.

5. At the approximate time between August through October 2000, Respondent prescribed Levaquin to a thirteen year old patient, Vioxx to a twelve year old patient and Diflucan to another patient. On or about September 15, 2000, Respondent prescribed Tiazac and Lasix to a patient. The patient assessment charts of each of the individuals were introduced into evidence. The Respondent admitted in her testimony that she prescribed these medications, when she did not have prescriptive authority.

6. On or about September 12, 2000, Respondent signed her signature as physician on a patient's homebound instruction form without the permission and against the advice of a physician. The homebound instruction form was entered into evidence and showed the Respondent's signature under the caption "Physician's Signature". Dr. Brooks testified that she specifically told Respondent not to place the patient on homebound instruction. The Respondent admitted in her testimony that she sometimes made decisions that were different from the physicians. The Respondent's own witness testified that she heard Dr. Brooks instruct the Respondent not give the patient homebound instruction.

7. On or about September 18, 2000, Respondent gave out a vial of vitamin B-12 to be delivered to a patient at the Free Clinic. Respondent testified the medication was administered per her instructions to the patient at the Free Clinic. Respondent also admitted in her testimony that she did not have prescriptive authority to prescribe medications to patients.

8. In December 2001, Respondent stated she was certified as a nurse practitioner during an interview for employment as a nurse practitioner position at Palmetto Neurosurgery and Spine, in Columbia, South Carolina. According to the testimony of the State's witness, Respondent stated during the interview that she was certified as a nurse practitioner. After the interview the Respondent faxed a copy of her application for official recognition as a nurse practitioner (hereinafter application) to the witness. The application was marked "no" as to whether Respondent was certified. Respondent introduced this application into evidence. However, when the witness questioned Respondent about the designated response on the application, Respondent assured the witness she was certified. Thereafter, Respondent was offered the position of nurse practitioner based on her assertion of being certified. A second witness, employed at Palmetto Neurosurgery and Spine, testified he heard Respondent say at

least twice during the interview that she was certified. The witness further testified that following the interview, Respondent stated to him at least once that she was certified. The investigator for the State's Nursing Board testified that Respondent admitted to him that she misrepresented herself as being certified as nurse practitioner. Respondent testified that she had official recognition

in December of 2001. Respondent further testified that she was given an extension on her certification requirement for official recognition by Sandra Bryant, administrative assistant employed by the State Nursing Board. However, the State's witness, Sandra Bryant, testified that she had no authority to grant extensions and Respondent did not have official recognition on December of 2001.

### CONCLUSIONS OF LAW

Based upon careful consideration of the facts in this case, the Board unanimously finds and concludes as a matter of law that:

1. The Board has jurisdiction in this matter and, upon finding that a respondent has violated any of the provisions of S.C. Code Section 40-33-935, supra, has the authority to order the revocation or suspension of a license to practice nursing, publicly or privately reprimand the holder of a license, or take other reasonable action short of revocation or suspension, such as requiring the respondent to undertake additional professional training subject to the direction and supervision of the Board or imposing restraint upon the practice of the respondent as circumstances warrant until the respondent demonstrates to the Board adequate professional competence. Additionally, the Board may require the respondent to pay a civil penalty of up to ten thousand dollars to the Board and the costs of the disciplinary action.
2. Respondent has violated S.C. Code Section 40-33-935(g), as amended, in that the Respondent has violated the following Rules and Regulations governing the practice of nursing:
  - (a) The Respondent has violated S.C. Code Regulation No. 91-19(c)(2) in that the Respondent, as evidenced by the conduct described above, failed to demonstrate and apply the knowledge, skill and care that is ordinarily possessed and exercised by other nurses of the same licensure status and required by the generally accepted standards of the profession.
  - (b) The Respondent has violated Regulation 91-19(c)(3)(b) in that the Respondent signed her name as a physician on a form for a patient.

- (c) The Respondent has violated Regulation 91-19(c)(3)(f) in that the Respondent furnished prescription drugs to patients without direction from a person authorized by law to prescribe drugs.
  - (d) The Respondent has violated Regulation 91-19(c)(3)(m) in that the Respondent practiced outside the scope of her license by prescribing medications without having prescriptive authority.
3. The sanction imposed is consistent with the purpose of these proceedings and has been made after weighing the public interest and the need for the continued services of qualified professionals against the countervailing concern that society be protected from professional ineptitude.
4. The sanction imposed is designed not to punish the Respondent, but to protect the life, health and welfare of the people at large.

**NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that:**

- 1. The Respondent's license be suspended for a period of not less than one (1) year.
- 2. The Respondent shall within forty-five (45) days of the date of this order pay a fine of One Thousand Five Hundred Dollars (\$1,500). Said fine shall not be deemed paid until received by the board.
- 3. Prior to being re-licensed Respondent shall attend a legal aspects workshop subject to the direction and supervision of the board.
- 4. Prior to being re-licensed Respondent shall attend thirty (30) hours of a Pharmacology course subject to the direction and supervision of the board.
- 5. The Respondent for a five (5) year period shall not be granted recognition as an advanced practice nurse.

**AND IT IS SO ORDERED.**

**STATE BOARD OF NURSING**

Effective: June 10, 2003  
Date

By:

Rose Kearney Nunnery  
**ROSE KEARNEY NUNNERY, RN, Ph.D**  
**PRESIDENT OF THE BOARD**

## EXHIBIT C

Order - South Carolina State Board of Nursing

SC DEPT. OF LLR BOARD OF NURSING

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION  
BEFORE THE BOARD OF NURSING

In the Matter of: )

JUDY DIANE REYNOLDS RABON )  
RN, 53937 )

Respondent. )  
\_\_\_\_\_ )

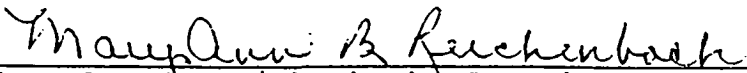
ORDER

This matter comes before the Board by way of respondent's Stipulation and Petition dated July 17, 1994, which is attached hereto and is incorporated herein by reference.

The Board considered the respondent's Stipulation and Petition at its meeting of July 29, 1994. After due consideration of the matter, the Board hereby accepts the respondent's Stipulation and Petition and imposes sanction and conditions for stay or reinstatement in accordance therewith.

AND IT IS SO ORDERED.

SOUTH CAROLINA DEPARTMENT OF LABOR,  
LICENSING & REGULATION BEFORE THE BOARD  
OF NURSING

  
\_\_\_\_\_  
Mary Ann B. Reichenbach, RN, PhD  
President

Columbia, South Carolina  
July 29, 1994



STATE OF SOUTH CAROLINA

In the Matter of:

Renatta S. Loquist, RN, MN,  
Executive Director of the  
State Board of Nursing for  
South Carolina,

Complainant,

vs.

JUDY DIANE REYNOLDS RABON  
RN, 53937

Respondent.

BEFORE THE STATE BOARD OF NURSING  
FOR SOUTH CAROLINA

STIPULATION AND PETITION

Comes now, the respondent, **JUDY DIANE REYNOLDS RABON**, and stipulates to the following:

1. The respondent admits that she was licensed to practice as a registered nurse in South Carolina by examination in July, 1991, and holds a current South Carolina license.
2. The respondent admits that on or about April 8, 1994, while employed at Kershaw County Memorial Hospital and acting as a preceptor for Emergency Medical Technician students, she mixed and drew up one gram of Rocephin and instructed the student to give the injection. The respondent documented that she had administered the medication. The student was not trained to give the injection.
3. The respondent further admits that as a result of her previous admissions herein, she has violated the Nurse Practice Act, Section 40-33-935 (g), Regulation 91-19c(3)o, Code of Laws of South Carolina, 1976, as amended.
4. The respondent hereby consents to a private reprimand and a civil penalty of \$150.00 to be paid within **thirty days** from

the date of the Board's action on this petition.

5. The respondent agrees that if she fails to meet the conditions imposed by the Board during this period of discipline, the Board may hold a hearing by two or more members after two week notice to respondent which may result in further discipline.
6. The respondent submits this stipulation with full knowledge that the Board may accept or reject it and may impose revocation or other conditions on a disciplinary status which is deemed appropriate.
7. The respondent submits this stipulation freely and voluntarily and not under duress, restraint or compulsion.

WHEREFORE, the respondent does hereby pray that the Board accepts said stipulation and petition and impose sanction in accordance with Section 40-33-935 (g), Code of Laws of South Carolina, 1976, as amended.

Judy Diane Reynolds Rabon  
JUDY DIANE REYNOLDS RABON

Columbia, South Carolina

July 17, 1994

SWORN TO AND SUBSCRIBED before me  
this 17<sup>th</sup> day of July, 1994.

Deborah Judson  
Notary Public for South Carolina

My commission expires on 2-6-2000.